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6 **UNITED STATES BANKRUPTCY COURT**
7 **DISTRICT OF ARIZONA**

8 In re:
9 NUTRACEA, a California corporation,
10
11 Debtor.
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Chapter 11

2:09-bk-28817-CGC

**NOTICE OF: (1) FILING MOTION
FOR AUTHORITY TO EMPLOY
AUCTIONEER PURSUANT TO
SECTION 328(a) OF THE CODE
AND SELL PERSONAL
PROPERTY AT AUCTION FREE
AND CLEAR OF LIENS, CLAIMS
AND INTERESTS; AND (2) BAR
DATE FOR FILING OBJECTIONS
TO THE MOTION**

Hearing Date: TBD

Hearing Time: TBD

Hearing Place: Courtroom No. 601

20 **NOTICE IS HEREBY GIVEN** that debtor NutraCea, a California corporation (the
21 **“Debtor”**), by and through its undersigned counsel, has filed a Motion for Authority to Employ
22 Auctioneer Pursuant to Section 328(a) of the Code and Sell Personal Property at Auction Free
23 and Clear of Liens, Claims and Interests (the **“Motion”**). The Motion seeks entry of an order
24 authorizing it to: (a) Employ auctioneer Cunningham & Associates, Inc. (**“Cunningham”**),
25 pursuant to the terms of the Exclusive Auction Contract Agreement (the **“Agreement”**) dated
February 12, 2010, a copy of which is attached as Exhibit “1” to the Motion; (b) sell the personal

1 property described in Exhibit "A" at auction free and clear of all liens, claims, and interests, with
2 all such liens, claims and interests to attach to the proceeds of sale; and, (c) pay Cunningham its
3 commission of 15% of the gross dollar amount received at the auction, plus all of its out-of-
4 pocket expenses at the conclusion of the auction. The Debtor has further requested that the 10-
5 day stay of Rule 6004(h), Rules of Bankruptcy Procedure, be waived.

6 **NOTICE IS FURTHER GIVEN** that pursuant to Bankruptcy Rule 2002(a)(3) and Local
7 Bankruptcy Rules 2002-1(a)(1) and 9013-1, that any written objection to the Motion must be filed
8 with the Court and a copy served upon the Debtor's attorneys whose address is set forth above
9 within fifteen (15) days of service of this Notice.

10 Dated this 19th day of February, 2010.

11 FORRESTER & WORTH, PLLC

12
13 /s/ SCF (006342)

14 S. Cary Forrester
15 Attorneys for the Debtor

16 Copy e-mailed on February 19th, 2010
17 and/or mailed on February 22, 2010 to
18 all those on the official notice service
19 list:

20 /s/ Carrie Lawrence

21 Carrie Lawrence
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NutraCea; 2/18/2010

Items for sale at public auction#2 follow-up:

Refrigerators
Dishwashers
Flat screen TV

Desks
Credenzas
Office chairs
Filing Cabinets
Office cubicles
Conference room tables
End tables and misc. furniture (ottomans)
Kitchen table with chairs (sets)

Décor

Lab equipment and supplies

Computer hardware and supplies; ex: printers, monitors and accessories; EXCLUDING
operating systems, computers or computer hard-drives;

Building materials, insulation, lighting, and piping.

Office stationary supplies.